

Planning Act 2008 – section 91

Application by Highways England for an Order Granting Development Consent for the A47 Blofield to North Burlingham project

Agenda for Issue Specific Hearing 4 (ISH4) dealing with matters relating to the draft Development Consent Order (dDCO) and Environmental Matters

Agenda for virtual ISH4: Tuesday 9 November 2021, 2:00pm

Notification of the date, time and joining instructions for the virtual ISH4 was provided in the [Examining Authority's \(ExA\) letter](#) dated 8 October 2021.

Arrangements Conference

Please join at **1:40pm**. The Case Team will admit you from the lobby and register your attendance.

Where necessary a break will be provided during ISH4 in recognition of the fatigue associated with on-screen communication during virtual events.

Agenda

1. Welcome, introductions and arrangements for the hearing

2. Statements of Common Ground

- Applicant to provide an update on Statements of Common Ground relevant to the dDCO and Environmental Matters

3. Change request

- The ExA will ask the Applicant to briefly outline its request for a change to the application submitted at Deadline 6. The ExA may ask questions on this matter.

4. Provisions of the dDCO

- Applicant to briefly highlight changes which have been made to the dDCO since the last ISH into the dDCO
- The ExA may ask questions in respect of Articles, Schedules and Requirements of the dDCO, seeking responses where appropriate from the Applicant and Interested Parties (IPs)
- IPs will be invited to ask questions of clarification in relation to dDCO Articles, Schedules and Requirements

5. Schedule 9 – Protective Provisions

- Applicant to provide an update on progress between parties regarding protective provisions (particularly with regard to Cadent Gas Ltd, Anglian Water Services Ltd, Virgin Media Ltd and Vodafone Ltd) and an explanation of any important differences of view and a timescale for resolution

6. Environmental Matters

- The ExA will ask some questions in respect of the following topics:
 - Climate, including clarification around cumulative assessments and carbon budgets;
 - Population and Human Health, including proposed cycle track and footpath provision and effects on footpaths; and
 - Ecology, including protected species surveys

7. Review of issues and actions arising

8. Any other matters

9. Closure of the hearing

Notes on participation, conduct and management of the hearing

All IPs are invited to attend issue specific hearings. The event will also be livestreamed and a link for watching the livestream will be posted on the project page of the National Infrastructure Planning website closer to the event date.

Each IP is entitled to make oral representations at the Hearing. However, this is subject to the ExA's power to control the Hearing.

The ExA would find it helpful for the following attendees to participate in ISH4 into the dDCO:

- Highways England (the Applicant) - including representatives of the Applicant who are in a position to discuss the matters on the agenda;
- Norfolk County Council;
- Broadland District Council;
- Natural England;
- Cadent Gas Ltd;
- Anglian Water Ltd; and
- Any other IPs with an interest in the provisions of the dDCO and Environmental Matters specified in the Agenda.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe,

test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

The virtual event will be open 20 minutes prior to the start of the hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a Hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

All Examination documents are provided with a unique identification number for referencing purposes shown in square brackets [].

The evidence presented orally at ISH4 should be included in post-hearing submissions and submitted by **Thursday 18 November 2021 (Deadline 7)**.

Purpose of ISH4

The main purpose of ISH4 is to undertake further examination of the provisions of the dDCO and Environmental Matters, as set out below.

dDCO:

- Issues around how the dDCO is intended to work – what would be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- Any possible issues of prevention, mitigation or compensation which are not covered by the dDCO as currently drafted;
- The justification for any changes from established practice;
- The need for changes to other legislative provisions;
- The need for protective provisions and their scope; and
- The views of other IPs as to the appropriateness, proportionality or efficacy of the proposals.

Environmental Matters:

- Climate, including clarification around cumulative assessments and carbon budgets;
- Population and Human Health, including proposed cycle track and footpath provision and effects on footpaths; and
- Ecology, including protected species surveys

Key documents for ISH4:

- Draft Development Consent Order Rev 4 [REP5-002];
- ES Chapter 12: Population and Human Health Rev 2 [REP4-023];
- ES Chapter 14: Climate Rev 2 [REP2-002];
- ES Chapter 15: Cumulative Effects Assessment [APP-053];
- Transport Assessment Rev 1 [REP1-044];
- Rights of Way and Access Plans Rev 3 [REP4-004];
- Masterplan Rev 3 [REP5-006];
- Environmental Management Plan Rev 4 [REP4-040]; and
- Request for non-material change to the application [REP6-007].

Contingencies

The ExA will endeavour to hear all participants. If the ISH4, or parts of it, is unable to proceed, for example for technical reasons, then the ExA may adjourn incomplete business to later in the Examination Timetable or defer to further written questions. Notice of any adjournments will be provided on the project page of the National Infrastructure Planning website.

Microsoft Teams

The ISH4 will take place virtually using Microsoft Teams. Further information about virtual events in relation to Nationally Significant Infrastructure Projects can be found in the Planning Inspectorate's Advice Note 8.6: Virtual examination events:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

Further information, including a short video regarding taking part in a Planning Inspectorate virtual event, can be found on the Planning Inspectorate's website:

<https://www.gov.uk/government/publications/planning-inspectorate-virtual-events-guide-to-participating>

Please contact the Case Team if you have any questions about using Microsoft Teams or if you would like to test your access arrangements:

A47BlofieldtoNorthBurlingham@planninginspectorate.gov.uk

0303 444 5000

Digital recording

A digital recording will be made of the hearing. This will be made available on the project page of the National Infrastructure website.

If you take part in the hearing it is important that you understand that your comments will be recorded and that the digital recording will be published and retained, usually for a period of 5 years from the Secretary of State's decision.

As such the Planning Inspectorate is subject to the General Data Protection Regulations. It is very unlikely that the ExA will ask you to put sensitive personal information such as email addresses and economic, financial, cultural or health related matters into the public domain. Indeed, the ExA would actively encourage you not to do that.

However, if for some reason you feel that it is necessary for you to refer to sensitive personal information the ExA would encourage you to speak to the case team in the first instance. The case team would then explore with you whether the information could be provided in a written format which could then be appropriately redacted before being published.

Please bear in mind that the only official record of the proceedings will be the digital recording that will be placed on the project page of the National Infrastructure website. Tweets, blogs and similar communications arising out of the hearing will not be accepted as evidence in the Examination of this application.